

ARC-14661-2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bishun N. Khare and Meyya Meyyappan

RECEIVED
CENTRAL FAX CENTER

Filed: April 5, 2004

Group No.: 1762

NOV 29 2006

Serial No.: 10/828,524

Examiner: David P. Turocy

For: "Functionalization Of Carbon Nanotubes"

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300PETITION FOR ACCEPTANCE OF UNINTENTIONALLY DELAYED CLAIM
FOR THE BENEFIT OF PRIOR FILED NONPROVISIONAL APPLICATION
[37 CFR 1.78(a)(3)]

The time period for claiming the benefit of a prior filed nonprovisional application to the above-identified continuation-in-part application has lapsed. The time period for claiming the priority benefit is within the latter of four months from the actual filing date of the later-filed application or sixteen months from the filing date of the prior-filed nonprovisional application.

Prior Filed Nonprovisional Application No. 10/320,698

Filing Date December 13, 2002

APPLICANT HEREBY PETITIONS FOR ACCEPTANCE OF A CLAIM FOR BENEFIT OF A
PRIOR FILED NONPROVISIONAL APPLICATION TO THIS CONTINUATION-IN-PART
APPLICATION

A grantable petition requires the following items:

- (1) Petition Fee
- (2) Reference required by 37 CFR 1.78(a)(5)
- (3) Statement that the entire delay was unintentional.

1. Petition fee and payment

- ☒ Other than small entity – fee \$1370.00 (37 CFR 1.17(t))
- ☒ Please charge \$1370.00 to Deposit Account No. 14-0116. A duplicate of this paper is attached.
- ☒ Please charge any additional fees necessary to effect this petition and/or deposit any overpayment to Deposit Account No. 14-0116.

Payment date: 05/16/2007 CKHLOK
11/29/2006 REFADU1 00000017 140116 10828524
01 FC:1454 1370.00 CR

11/30/2006 REFADU1 00000017 140116 10828524
01 FC:1454 1370.00 DR

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2. Reference required by 37 CFR 1.78(a)(5)

☒ The following reference is submitted in an amendment along with this petition:

This application is a continuation-in-part of prior Application No. 10/320,698,
filed December 13, 2002.

3. STATEMENT: The entire delay in claiming priority to the nonprovisional application from
the filing date of the continuation-in-part application to the filing of a grantable petition
under 37 CFR 1.78(a)(6) was unintentional.

John F. Schipper
Signature

29 November 2006
Date

John F. Schipper
Typed or printed name

26,994
Registration Number

Mail Stop 202A-4
Address

(650) 604-0887
Telephone Number

Moffett Field, California 94035-1000
Address

**UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231**

REQUEST FOR PATENT FEE REFUND												
1 Date of Request: <u>05/11/07</u>		2 Serial/Patent # <u>10/828,52</u>										
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT								
	Filing			\$								
	Amendment			\$								
	Extension of Time			\$								
	Notice of Appeal/Appeal			\$								
X	Petition	wfee	11/29/06	\$ 1,370.00								
	Issue			\$								
	Cert of Correction/Terminal Disc.			\$								
	Maintenance			\$								
	Assignment			\$								
	Other			\$								
			7 TOTAL AMOUNT OF REFUND		\$ 1,370.00							
			8 TO BE REFUNDED BY:									
			Treasury Check									
			X	Credit Deposit A/C #:								
			9	<table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">1</td> <td style="width: 20px; text-align: center;">4</td> <td style="width: 20px; text-align: center;">--</td> <td style="width: 20px; text-align: center;">0</td> <td style="width: 20px; text-align: center;">1</td> <td style="width: 20px; text-align: center;">1</td> <td style="width: 20px; text-align: center;">6</td> </tr> </table>		1	4	--	0	1	1	6
1	4	--	0	1	1	6						
10 REASON:												
	Overpayment											
X	Duplicate Payment											
	No Fee Due (Explanation):											
11 REFUND REQUESTED BY:												
TYPED/PRINTED NAME: <u>Sherry D. Brinkley</u>		TITLE: <u>Petitions Examiner</u>										
SIGNATURE: <u><i>Sherry D. Brinkley</i></u>		PHONE: <u>2-3204</u>										
OFFICE: <u>Petitions</u>												
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****												
APPROVED: <u><i>Chick</i></u>		DATE: <u>5/16/07</u>										

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: